

Attorney Docket No.: 10121-01301

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JUL 05 2007

No new matter has been added. Claims 6 and 22 have been amended, and claim 23 has been canceled. Thus, Claims 1-13, 22, 24, and 25 remain pending in this application. In view of the above amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable.

With respect to the objection to the claims, Applicants submit that it has been obviated by the claim amendments.

Claims 1, 2, 4, 5 and 7-13 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Richter (European Patent No. EP 0976417A) in view of Cohen (United States Patent No. 5,167,239). The Examiner relies on Cohen in order to show the recited anchoring module of claim 1. What Cohen does not show, however, is an anchoring module that is "selectively coupleable" to the guide track, in the sense that the coupling of the anchoring module to the guide track can be selected or deselected. Paragraph 47 of the specification describes how the anchoring module can be joined to the guidewire and then, through its motor, propelled to its intended location. The implication is clear that this joining is selective due to its reversibility, since the anchoring module can be removed from the guidewire just as easily as it had been joined to it. A selective coupling thus excludes a necessarily permanent, irreversible coupling, which is precisely the way anchoring balloon 14 of Cohen is joined to guide wire 12. Unlike the selectively coupleable anchoring module of claim 1, Cohen shows an anchoring balloon 14 that is permanently joined with, and thus not "selectively coupleable" to, guidewire 12. Specifically, the cross sectional diagram of Figure 3 shows that the material of balloon 14 is affixed in such a way that it is rendered permanently immobile relative to the guidewire 12. Such a permanent joining is necessary so that the interior aperture of the balloon remains aligned with aperture 28 in the guidewire 12, which permits an inflating fluid to be delivered into the balloon cavity. Thus, the combination of Richter and Cohen does not teach the invention of claim 1.

As for claims 2, 4, 5, and 7-13, these claims are patentable for at least the same reasons given above.

Notwithstanding the above argument, Applicants further submit that the Examiner does not provide any evidence to support the rejection of claim 9. Claim 9 recites that the

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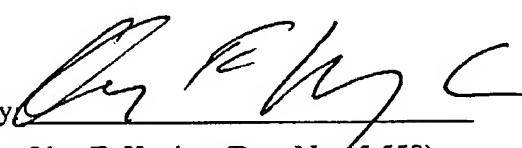
anchoring module is movable along the guide track. As explained above, the anchoring balloon 14 of Cohen is fixed permanently at one location along guide wire 12. Balloon 14 is thus incapable of moving along guide wire 12. Accordingly, claim 9 is patentable for this additional reason as well.

Claims 22 - 25 stand rejected under 35 U.S.C. §103(a) as obvious over Richter in view of Cohen and U.S. Patent Application No. 2002/0065523 to McAlister et al. ("McAlister") (12/27/06 *Office Action*, pg. 6). Applicants have amended claim 22 to recite selectively coupling the anchoring module to the guide track. Since the balloon 14 is permanently coupled to guide wire 12, it cannot be considered "selectively" coupled. Accordingly, withdrawal of this rejection is requested.

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, and an early and favorable action on the merits is earnestly solicited.

Respectfully Submitted,

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By 

Oleg F. Kaplun (Reg. No. 45,559)

Fay Kaplun & Marcin, LLP
150 Broadway, Suite 702
New York, N.Y. 10038
(212) 619-6000 (telephone)
(212) 619-0276 (facsimile)